



National Aeronautics and
Space Administration
Washington, DC 20546

Procurement Notice

PN 04-08
September 29, 2005

PUBLICIZING CONTRACT ACTIONS

BACKGROUND: This PN streamlines the Administrator notification process and revises the HQ public announcement procedures.

ACQUISITIONS AFFECTED BY CHANGES: Contract actions with anticipated values of \$5 million or greater.

ACTION REQUIRED BY CONTRACTING OFFICERS: Contracting officers must comply with the requirements for the public announcement procedures in accordance with the language in 1805.3.

CLAUSE CHANGES: None

PARTS AFFECTED: Changes are made in Part 1805.

REPLACEMENT PAGES: You may use the enclosed pages to replace Part 1805.

TYPE OF RULE AND PUBLICATION DATE: This PN was published as a final rule (70 FR 56856 - 56857) on September 29, 2005. Other changes to this PN does not have a significant effect beyond the internal operating procedures of the Agency or have a significant cost or administrative impact on contractors or offerors and therefore does not require codification in the Code of Federal Regulations (CFR) or publication for public comment.

HEADQUARTERS CONTACT: Sheryl Goddard, Office of Procurement, Program Operations Division, (703) 553-2519, email: Sheryl.Goddard@nasa.gov.

//s//

Tom Luedtke
Assistant Administrator for Procurement

Enclosures

Attachment A: *NASA Notification of Contract Award (Contract Actions \$5M and greater)*
Template

PROCUREMENT NOTICE (PN) 04-08 REPLACEMENT PAGE
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DISTRIBUTION:
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PART 1805
PUBLICIZING CONTRACT ACTIONS

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PART 1805
PUBLICIZING CONTRACT ACTIONS

Subpart 1805.1--Dissemination of Information

1805.101 Methods of disseminating information.

(b)(4) For NASA policy regarding paid advertisements, see 1805.502.

Subpart 1805.2--Synopses of Proposed Contracts

1805.207 Preparation and transmittal of synopses.

(a) Synopses shall be transmitted in accordance with 1804.570.

(c)(14) Notices for non-competitive solicitations, including non-competitive follow-on actions to contracts initially awarded utilizing full and open competition, shall provide sufficient information regarding the proposed requirement to allow potential sources to determine whether they possess the requisite capabilities and to make an informed business decision regarding whether to respond.

1805.207-70 Synopses of Architect-Engineer Services.

(a) *Architect-Engineer Services.*

(1) Each notice publicizing the acquisition of architect-engineer services shall be headed "*C. Architect-Engineer Services.*"

- (2) In addition to meeting the requirements of FAR 5.207(c), the project description shall--
- (i) State the relative importance the Government attaches to the significant evaluation criteria and the date by which responses to the notice must be received, including submission of Standard Form 330, Part I – Contract Specific Qualifications, if required;
 - (ii) Describe any specialized qualifications, security classifications, and limitations on eligibility for consideration;
 - (iii) Describe qualifications or performance data required from architect-engineer firms; and
 - (iv) If the acquisition is to be set aside for small business, state this fact, indicating the specific size standard to be used and requiring that eligible responding firms submit a small business representation.
- (3) Contracting officers shall add at the end of the synopsis:
- See Note 24. Provisions of Note 24 apply to this notice except that (a) in the sentence beginning "Selection of firms for negotiations," the fourth additional consideration listed is changed to read: "(4) past experience, if any, of the firm with respect to performance on contracts with NASA, other Government agencies, and private industry;" and (b) in the last sentence, "National Aeronautics and Space Administration" is substituted for "Department of Defense."

Subpart 1805.3--Synopsis of Contract Awards

1805.303 Announcement of contract awards.

(a)(i) In lieu of the \$3 million threshold cited in FAR 5.303(a), NASA Headquarters public announcement is required for award of contract actions that have a total anticipated value, including unexercised options, of \$5 million or greater.

1805.303-70 Definitions.

"Anticipated values," as used in this subpart, means:

- (a) The estimated value of the contract (including unexercised options),
- (b) The expected definitized value of a letter contract or undefinitized contract action; or
- (c) The maximum value of the basic contract for indefinite delivery contracts, time and material, labor hour, and similar contracts.

"Contract actions," as used in this subpart, means new awards (including letter contracts).

1805.303-71 Actions requiring Administrator notification and NASA Headquarters public announcements.

(a)(1) All contract actions with anticipated values of \$25 million or greater require Administrator notification.

(2) All contract actions with an anticipated value, including unexercised options, of \$5 million or greater require NASA Headquarters public announcements. In addition, an option exercise \$25 million or greater requires a NASA Headquarters public announcement.

(3) If the contracting officer considers that a contract action or other action at any dollar amount is of significant interest to Headquarters or has agency public information implications, the NASA Headquarters Office of Procurement, Program Operations Division, should be contacted to discuss possible Administrator notification and/or NASA Headquarters public announcement. Examples of other actions include --

- (i) Terminations,
- (ii) Contract modifications (including new work modifications),
- (iii) Exercise of options,
- (iv) Cost overrun modifications, or

- (v) Orders placed under single or multiple award contracts (including GSA).
- (b) Contract actions requiring Administrator notification and/or Headquarters public announcement shall not be distributed nor shall any source outside NASA be notified of their status until the procedures in 1805.303-72 are completed.

1805.303-72 Administrator notification and NASA Headquarters public announcement procedures.

(a)(1) The contracting officer shall send the information listed in items (a)(2) of this section to the Headquarters Office of Procurement, Program Operations Division via NASA Public Key Infrastructure (PKI) at least three (3) workdays prior to planned public announcement. The contracting officer shall contact Program Operations Division by telephone immediately prior to the impending electronic transmission. The contact must be “live”; leaving a voicemail is not sufficient, as there is no guarantee that a person so notified will be available to properly receive and handle the public announcement.

(2) Administrator notification and NASA Headquarters public announcement shall be submitted on the template located in the Virtual Procurement Office at http://procurement.nasa.gov/cgi-bin/vpo/vpo_matrix.cgi and shall include the following information –

- (i) Title of the contract action and an identification of the action (e.g. new contract, contract modification, termination, exercise of an option, etc.);
- (ii) Name and address (including 9-digit zip code) of the prime contractor;
- (iii) Brief nontechnical description of the work, including identification of the program, project;
- (iv) The estimated dollar value of the contract including all unexercised options. For undefinitized contract actions, indicate the NTE or ceiling price amount;
- (v) Contract type. For undefinitized contract actions, identify the planned contract type of the definitized instrument;
- (vi) The period of performance for the basic contract and each option period;
- (vii) Principal work performance locations;
- (viii) The name and telephone number of the awardee’s point of contact;
- (ix) The name and address (including 9-digit zip code) for each major subcontractor greater than \$1 million;
- (x) The name, center, telephone number, and email address of the contracting officer;
- (xi) The desired date to notify offerors.

(3) The Headquarters Office of Legislative Affairs will coordinate the date of public announcement with the Headquarters Office of Public Affairs. The Headquarters Office of Public Affairs will then coordinate with the installation Public Affairs Office.

(i) The HQ Office of Legislative Affairs will coordinate the timing for notifying offerors with the contracting officer such that the offerors are notified prior to Congress, and Congress is notified prior to public announcement.

(ii) Installations may proceed with award and local release of the information after the Office of Public Affairs makes the public announcement, which occurs at 4:00 PM ET on the agreed upon date.

(4) If a contract action or public announcement is required prior to 4:00 PM ET on the agreed upon date (e.g., letter contracts), installations must request authorization from the Assistant Administrator for Procurement, Program Operations Division, who will then coordinate an earlier release with the Headquarters Office of Public Affairs and the Office of Legislative Affairs.

Subpart 1805.4--Release of Information

1805.402 General public.

(1) Unless the head of the contracting activity determines that disclosure would be prejudicial to the interests of NASA, the following information on NASA acquisitions may be released:

- (i) The names of firms invited to submit offers, and
- (ii) The names of firms that attended any pre-bid or pre-proposal conferences.

(2) Other requests for information under the Freedom of Information Act shall be processed in accordance with FAR 24.2 and 1824.2.

1805.403 Requests from Members of Congress.

(a) All proposed replies to congressional inquiries shall be prepared and forwarded, with full documentation, to the Headquarters Office of Legislative Affairs for approval and release.

Subpart 1805.5--Paid Advertisements

1805.502 Authority.

Use of paid advertisements for procurement purposes (except CBD announcements) is not authorized in NASA.

Attachment A

***NASA Notification of Contract Award
(Contract Actions \$5M and greater)***

<u>Title of Contract and Identification of the Action</u> (new contract, termination, exercise of an option, etc)		
<u>Name and Full Address of Awardee</u> (Important! <u>Nine digit</u> zip code required)		
<u>Detailed Description of Work</u> (including Program and/or Project)		
<u>Contract Value</u> (Base + options)	<u>Contract Type</u>	<u>Performance Period</u> (Base + options including number and length, if applicable)
<u>Place of Performance</u> (NASA/contractor/university facility. If other than NASA Center, include address and nine-digit zip code.)		
<u>Awardee's Point of Contact</u> (name and telephone number of individual at selected firm/institution who may be contacted for further information)		

NASA Notification of Contract Award

Significant Subcontractors and Addresses, if applicable (Nine digit zip code required)

Contracting Officer (C.O. 's name, Center, telephone number and e-mail address)

Desired Date to Notify Offerors